

Appl. No. 09/387,195  
Amdt. dated July 23, 2007  
Reply to Office Action of April 23, 2007

### **REMARKS**

Claims 2-4, 6, 8-10, 12, 14-16, 18, 31 and 32 are now presented. Claims 1, 7, 13, 19, 26 and 30 were canceled previously. Claims 5, 11, 17, 20-25, 27-29 and 33 are presently canceled without prejudice to later presentation in a continuation application.

#### **A. Claims 5, 11, 17, 20-25, 27-29 and 33**

In the Office Action of April 23, 2007, claims 5, 11, 17, 20-25, 27-29 and 33 were rejected under 35 U.S.C. § 103 as being obvious in view of Uppaluru, U.S. Patent No. 6,400,806, and Talmor et al., U.S. Patent No. 5,913,196<sup>1</sup>. Claims 5, 11, 17, 20-25, 27-29 and 33 are canceled rendering their rejection moot. The rejection of at least claims 5, 11, 17 and 23 is believed to be improper as discussed in the Amendment filed on January 8, 2007, because neither Uppaluru nor Talmor disclose utilizing artificial intelligence to interact with the user in the manner recited in the claims. Despite the impropriety of the rejection, all of claims 5, 11, 17, 20-25, 27-29 and 33 are being canceled in order to expedite the granting of a patent for the allowed claims 2-4, 6, 8-10, 12, 14-16, 18, 31 and 32.

As mentioned above, claims 5, 11, 17 and 33 are being canceled solely in order to have allowed claims granted in a patent in an expeditious manner. Accordingly, the cancellation of the claims is not being made for reasons related to patentability as defined in *Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd*, 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000) (*en banc*), *overruled in part*, 535 U.S. 722 (2002).

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<sup>1</sup> It is noted that the Office Action fails to address the status of claims 27 and 28 or note that they were pending. The undersigned contacted Examiner Armstrong on July 12, 2007 regarding this issue and she informed the undersigned on July 13, 2007 that claims 27 and 28 were also rejected based on Uppaluru and Talmor.

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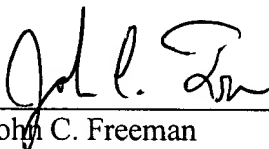
**B. Claims 2, 4, 6, 8-10, 12, 14-16, 18, 31 and 32**

Applicant notes with appreciation that claims 2, 4, 6, 8-10, 12, 14-16, 18, 18, 31 and 32 have been allowed.

**CONCLUSION**

In view of the arguments above, Applicant respectfully submits that all of the pending claims 2, 4, 6, 8-10, 12, 14-16, 18, 18, 31 and 32 are in condition for allowance and seeks an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that an interview would be helpful to resolve any remaining issues, she is respectfully requested to contact the undersigned attorney at (312) 321-4200.

Respectfully submitted,



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